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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Richard Neal Sutton,
10 Petitioner,
11 vs.
12 Charles L. Ryan, et al.,
13 Respondents.

No. CV17-2701 PHX DGC (JFM)

ORDER

14
15 Petitioner Richard Neal Sutton has filed a petition for writ of habeas corpus
16 pursuant to 28 U.S.C. § 2254. Doc. 1. United States Magistrate Judge James F. Metcalf
17 has issued a report and recommendation (“R&R”) recommending that the petition be
18 denied and dismissed with prejudice. Doc. 12. No objection has been filed, which
19 relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed.
20 R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-*
21 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and deny the
22 petition.

23 **IT IS ORDERED:**

- 24 1. The R&R (Doc. 12) is **accepted**.
25 2. The petition for writ of habeas corpus (Doc. 1) is **denied and dismissed**
26 **with prejudice**.
27 3. A certificate of appealability and leave to proceed *in forma pauperis* on
28 *appeal are denied*

